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SUBJECT: ANNUAL TERRORISM REPORT - UK

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¶1. THE UNITED KINGDOM IS ONE OF THE UNITED STATES' CLOSEST ALLIES AND PARTNERS IN THE FIGHT AGAINST INTERNATIONAL TERRORISM. IT ROUTINELY TAKES A ROBUST STANCE AGAINST TERRORISM, AND CONTRIBUTES ACTIVELY TO THE WORK OF INTERNATIONAL BODIES -- PARTICULARLY THE UNITED NATIONS, THE GROUP OF EIGHT (G8) AND THE EUROPEAN UNION -- IN PROMOTING INTERNATIONAL COOPERATION AGAINST TERRORISM. THE CEASE-FIRES IN NORTHERN IRELAND HAVE LESSENED THE INCIDENTS OF TERRORISM, ALTHOUGH THE THREAT OF VIOLENCE FROM DISSIDENT REPUBLICAN AND LOYALIST PARAMILITARY GROUPS CONTINUES TO BE TAKEN VERY SERIOUSLY BY AUTHORITIES. RESPONSES BELOW ARE KEYED TO REFTTEL PARAGRAPHS.

A) DOMESTIC LEGISLATION AND RESPONSE OF JUDICIAL SYSTEM  
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¶2. RESPONDING TO THE THREAT OF INTERNATIONAL TERRORISM AS WELL AS TO TERRORISM ASSOCIATED WITH THE TROUBLES IN NORTHERN IRELAND, UK COUNTERTERRORISM POLICY HAS DEVELOPED A FOCUS ON MEASURES WHICH PROMOTE PRACTICAL TOOLS TO TARGET TERRORISM WHEREVER IT ORIGINATES. THE UK SEEKS TO ENSURE CRIMINALS CANNOT EXPLOIT JURISDICTIONAL BOUNDARIES TO ESCAPE PROSECUTION AND PUNISHMENT.

¶3. TWO PIECES OF EMERGENCY LEGISLATION HAVE PROVIDED THE STATUTORY BASIS FOR THE UK'S COUNTERTERRORISM EFFORTS. THE "PREVENTION OF TERRORISM (TEMPORARY PROVISIONS) ACT 1989" IS APPLICABLE THROUGHOUT THE UNITED KINGDOM AND IS DIRECTED AGAINST BOTH INTERNATIONAL AND TERRORISM CONNECTED WITH NORTHERN IRELAND. IT IS SUBJECT TO REGULAR REVIEW BY PARLIAMENT, WHICH MUST RENEW ITS PROVISION ANNUALLY. IN ADDITION, "THE NORTHERN IRELAND (EMERGENCY PROVISIONS) ACT" GIVES THE GOVERNMENT BROAD ANTI-TERRORISM POWERS IN NORTHERN IRELAND.

¶4. THE GOVERNMENT INTRODUCED ADDITIONAL EMERGENCY ANTI-TERRORISM LEGISLATION IN THE WAKE OF THE BOMBING ATROCITY PERPETRATED BY THE "REAL IRA" IN AUGUST 1998 IN OMAGH, NORTHERN IRELAND. A SPECIAL SESSION OF PARLIAMENT IN SEPTEMBER 1998 PASSED "THE CRIMINAL JUSTICE (TERRORISM AND CONSPIRACY) ACT 1998." UNDER THIS LAW, IT IS NOW AN OFFENSE TO CONSPIRE IN THE UNITED KINGDOM TO COMMIT ANY OFFENSE (INCLUDING TERRORIST OFFENSES) ABROAD, PROVIDED THE ACTION WOULD BE AN OFFENSE BOTH IN BRITAIN AND IN THE COUNTRY IN WHICH IT WAS INTENDED TO OCCUR. THE ACT ALSO ALLOWS A STATEMENT BY A SENIOR POLICE OFFICER TO BE ADMISSIBLE AS EVIDENCE OF ALLEGED MEMBERSHIP IN AN ILLEGAL TERRORIST ORGANIZATION, ALTHOUGH FURTHER CORROBORATION IS REQUIRED FOR A CONVICTION. THE ACT ALLOWS THE INFERENCE OF GUILT TO BE DRAWN FROM A REFUSAL TO ANSWER A RELEVANT QUESTION DURING POLICE INTERVIEWS OR FROM THE REFUSAL TO COOPERATE WITH ANY RELEVANT INQUIRY PROVIDED THAT THE SUSPECT HAD AN OPPORTUNITY TO CONSULT A ATTORNEY. THE LAW ALSO PERMITS THE COURT TO CONFISCATE ASSETS AND PROPERTY OF CONVICTED MEMBERS OF PROSCRIBED ORGANIZATIONS WHERE IT DETERMINES THESE ASSETS HAVE BEEN, OR MIGHT BE, USED IN FURTHERANCE OF TERRORIST ACTIVITIES.

¶5. IN OCTOBER 1997, HOME SECRETARY JACK STRAW ANNOUNCED HIS INTENTION TO PUBLISH A CONSULTATION PAPER ON NEW PERMANENT UK-WIDE COUNTERTERRORISM LEGISLATION TO REPLACE THE CURRENT TEMPORARY PIECEMEAL PROVISIONS. STRAW RECOGNIZED THAT "THE

CEASE-FIRE IN NORTHERN IRELAND ... DOES NOT MEAN THAT WE NO LONGER NEED SPECIAL LEGISLATION TO INVESTIGATE, TO DISRUPT AND TO COUNTER TERRORISM. ON THE INTERNATIONAL FRONT THERE IS AMPLE EVIDENCE OF THE ACTIVITIES OF TERRORISTS.... SOME MAY COMMIT ACTS OF TERRORISM WITHIN THE UNITED KINGDOM, OR RAISE FUNDS HERE, OR OTHERWISE USE THE UNITED KINGDOM AS A BASE FROM WHICH TO LAUNCH ATTACKS ELSEWHERE IN THE WORLD."

¶16. UNDER THE LEAD OF THE HOME OFFICE, FURTHER COUNTERTERRORISM MEASURES ARE UNDER CONSIDERATION AS PARLIAMENT AWAITS RECOMMENDATIONS FROM THE PROMISED CONSULTATIVE PAPER "HOPED" TO BE PUBLISHED IN EARLY 1999. THIS REPORT WILL CONSIDER THE WIDER ASPECTS OF COUNTERTERRORISM LEGISLATION, INCLUDING THE NEED FOR STRONGER POWERS TO CURB FUNDRAISING BY TERRORIST GROUPS AND TO HINDER DOMESTIC ENCOURAGEMENT OF INTERNATIONAL TERRORIST ACTS.

#### B) EXTRADITION -----

¶17. A U.S. REQUEST FOR THE EXTRADITION OF KHALID AL-FAWWAZ IS PENDING IN THE BRITISH COURTS. AL-FAWWAZ, A SAUDI NATIONAL ALLEGED TO BE A MEMBER OF THE USAMAH BIN LADEN ORGANIZATION, HAS BEEN IN DETENTION SINCE HIS ARREST BY THE LONDON METROPOLITAN POLICE IN OCTOBER 1998. HE IS WANTED BY U.S. AUTHORITIES TO FACE CHARGES FOR CONSPIRING TO MURDER AMERICAN CITIZENS BETWEEN JANUARY 1993 AND SEPTEMBER 1998.

¶18. IN MARCH 1998, THE HOME SECRETARY, CITING MEDICAL GROUNDS, DECLINED TO EXTRADITE ROISIN MCALISKEY TO GERMANY TO STAND TRIAL FOR OFFENSES RELATED TO A 1996 IRA ATTACK ON A BRITISH MILITARY FACILITY IN GERMANY.

#### C) IMPEDIMENTS TO PROSECUTION OR EXTRADITION -----

¶19. THERE ARE NO SIGNIFICANT LEGAL OR POLITICAL IMPEDIMENTS TO UK PROSECUTION OR EXTRADITION OF SUSPECTED TERRORISTS.

#### D) RESPONSES OTHER THAN PROSECUTION -----

¶10. (U) ON 21 SEPTEMBER 1998 BRITISH PRIME MINISTER TONY BLAIR REITERATED BRITAIN'S COMMITMENT TO COMBATING GLOBAL TERRORISM IN HIS ADDRESS TO THE UN GENERAL ASSEMBLY, SAYING "[E]ACH [TERRORIST ATROCITY] IS A REMINDER THAT TERRORISM IS A UNIQUELY BARBARIC AND COWARDLY CRIME. EACH ONE IS A REMINDER THAT TERRORISTS ARE NO RESPECTERS OF BORDERS. EACH ONE IS A REMINDER THAT TERRORISM SHOULD HAVE NO HIDING PLACE, NO OPPORTUNITY TO RAISE FUNDS, NO LET-UP IN OUR DETERMINATION TO BRING ITS PERPETRATORS TO JUSTICE."

#### E) MAJOR INTERNATIONAL COUNTERTERRORISM EFFORTS -----

¶11. THE UK HAS RATIFIED TEN OF THE ELEVEN UN CONVENTIONS RELATING TO TERRORISM. IN JANUARY 1998, IT SIGNED THE ELEVENTH, THE UN CONVENTION ON THE SUPPRESSION OF TERRORIST BOMBING.

¶12. IN 1998, BRITAIN USED ITS CHAIRMANSHIP OF THE G8 AND PRESIDENCY OF THE EUROPEAN UNION TO HIGHLIGHT TERRORISM ISSUES. FOLLOWING THE MAY BIRMINGHAM SUMMIT, G8 FOREIGN MINISTERS REAFFIRMED THEIR COLLECTIVE DETERMINATION "TO COMBAT TERRORISM IN ALL ITS FORMS, TO OPPOSE ANY CONCESSION TO TERRORIST DEMANDS AND TO PROMOTE COORDINATED INTERNATIONAL COUNTERTERRORIST ACTION." THEY IDENTIFIED FOUR PRIORITY AREAS FOR FURTHER ACTION: PREVENTING TERRORISTS FROM FUNDRAISING IN G8 STATES; UNITING AGAINST RANSOM PAYMENTS UNDER A PRINCIPLE OF "NO CONCESSIONS;" DENYING TERRORISTS ACCESS TO ARMS AND EXPLOSIVES; AND STRENGTHENING AVIATION SECURITY. THE G8 FOREIGN MINISTERS, LED BY THE UK, ALSO REAFFIRMED THEIR COMMITMENT TO FULL IMPLEMENTATION OF THE STANDARDS AND RECOMMENDED PRACTICES AGREED UNDER THE 1944 CHICAGO CONVENTION ON INTERNATIONAL CIVIL AVIATION, AND STRONGLY URGED ALL STATES TO COMPLY.

¶13. THE BRITISH PRESIDENCY OF THE EU SOUGHT TO REFOCUS EU EFFORTS ON COUNTERTERRORISM. MEASURES IT PROPOSED INCLUDE: COMBATING TERRORIST FUNDRAISING IN EU STATES; STRENGTHENING COUNTERTERRORISM COOPERATION WITH THE UNITED STATES AND WITH THE EU APPLICANT STATES OF CENTRAL EUROPE AND CYPRUS; DEVELOPING EU POLICY GUIDANCE AGAINST EXTORTION OR RANSOM DEMANDS; AND IMPROVED COORDINATION OF EU NATIONAL CRISIS MANAGEMENT SYSTEMS.

¶14. THE UK HOSTED A US-EU SUMMIT IN LONDON IN MAY 1998 WHICH TOUCHED UPON BILATERAL COUNTERTERRORISM COOPERATION. IT ALSO CONVENED A MEETING IN DECEMBER 1998 OF COUNTERTERRORISM EXPERTS REPRESENTING THE G8 MEMBERS AS WELL AS THE EU PRESIDENCY AND EU COMMISSION TO REVIEW MEASURES ON TERRORIST FUND RAISING.

¶15. BRITAIN AND THE U.S. REMAIN RESOLVED TO BRING TO JUSTICE THE TWO LIBYANS ACCUSED OF BOMBING PAN AM FLIGHT 103 OVER LOCKERBIE, SCOTLAND. TO REMOVE ANY PLAUSIBLE JUSTIFICATION LIBYA MIGHT CITE FOR FAILING PRODUCE THE SUSPECTS, THE U.S. AND UK IN AUGUST 1998 PROPOSED AN INITIATIVE WHICH WOULD PERMIT THE ACCUSED TO BE TRIED BEFORE A SCOTTISH COURT SITTING IN THE NETHERLANDS. THE TRIAL, CONDUCTED BY A PANEL OF JUDGES, WILL BE FAIR IN EVERY RESPECT AND ARRANGEMENTS WILL BE MADE FOR INTERNATIONAL OBSERVERS. THE TWO GOVERNMENTS HAVE BEEN IN CONTACT WITH THE UN SECRETARY GENERAL AND THROUGH HIS OFFICES HAVE ENSURED THE LIBYAN GOVERNMENT UNDERSTANDS THE TERMS OF THIS GENUINE INITIATIVE. THE INTERNATIONAL COMMUNITY AWAITS DELIVERY BY LIBYA OF THE ACCUSED FOR TRIAL AS DEMANDED BY UN SECURITY COUNCIL RESOLUTIONS SO THIS DECADE-OLD WOUND CAN BE BROUGHT TO CLOSURE.

F-G) SUPPORT FOR TERRORISM OR GOVERNMENT SPONSORS TERRORISM  
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¶16. NONE.

H) SIGNIFICANT CHANGES  
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¶17. IN THE CONTEXT OF THE APRIL 1998 GOOD FRIDAY AGREEMENT, NEGOTIATED BY THE NORTHERN IRELAND POLITICAL PARTIES UNDER THE CHAIRMANSHIP OF SENATOR GEORGE MITCHELL, THE GOVERNMENT HAS AGREED TO MAKE PRISONERS CONVICTED OF TERRORIST CRIMES IN NORTHERN IRELAND ELIGIBLE FOR AN EARLY RELEASE PROGRAM. THE RELEASES ASSUME THE PARAMILITARY GROUPS TO WHICH THE PRISONERS BELONG WILL MAINTAIN THEIR CEASE-FIRES. SHOULD THE PRISONERS ENGAGE IN CRIMINAL ACTIVITIES UPON RELEASE, THEIR "LICENSE" COULD BE REVOKED. ALTHOUGH THIS HAS BEEN CONTROVERSIAL IN MANY SECTIONS OF THE COMMUNITY IN NORTHERN IRELAND, THE GOVERNMENT EMPHASIZES THE PROGRAM IS AN ESSENTIAL ELEMENT OF THE NEGOTIATION TO ACHIEVE A LASTING PEACE IN NORTHERN IRELAND AND DOES NOT SIGNIFY A GENERAL AMNESTY OR SUPPORT FOR THOSE WHO COMMIT ACTS OF TERROR.

I-K) COUNTERTERRORISM COOPERATION  
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¶18. AT ALL LEVELS AND IN ALL FIELDS, BRITISH AND AMERICAN OFFICIALS WORK CLOSELY TOGETHER ON THE FIGHT AGAINST TERRORISM. CLOSE COOPERATION BASED ON INTENSIVE COORDINATION AND CONSULTATION IS THE NORM.

BRADTKE